

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

Blockquarry Corp. f/k/a ISW Holdings, Inc.,

Plaintiff,

v.

Litchain Corp. and Gaffney Board of Public  
Works,

Defendants.

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Gaffney Board of Public Works,

Counter-/Cross-Claimant,

v.

Blockquarry Corp. f/k/a ISW Holdings, Inc.,  
Counterclaim Defendant, and Litchain Corp.,  
Crossclaim Defendant.

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C/A No.: 7:23-cv-01427-TMC

**PLAINTIFF'S VERIFIED STATUS  
REPORT ON SERVICE OF PROCESS  
ON DEFENDANT LITCHAIN CORP**

Plaintiff Blockquarry Corp. f/k/a ISW Holdings, Inc. hereby provides this verified status report on service of process on Defendant Litchain Corp ("Litchain").

1. Based on information reported on the South Carolina Secretary of State's website, Litchain is a Florida corporation that is registered to transact business in the state of South Carolina.<sup>1</sup>

2. As described below, Blockquarry attempted to cause Litchain to be personally served at four different addresses: one in South Carolina and three in Florida. One of the Florida

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<sup>1</sup> See Litchain Corp, SOUTH CAROLINA SECRETARY OF STATE, <https://businessfilings.sc.gov/BusinessFiling/Entity/Search> (type 'litchain corp' in search field; then select result for Litchain).

addresses was reported to be an address for the United States Postal Service (“USPS”), and Litchain has subsequently caused its Florida registered agent address to be changed to what appears to be a second USPS office. *See infra*.

3. On April 10, 2023—the day of filing the instant action—Fox Rothschild, LLP (“Fox”) informed South Carolina process server, Falcon Express Services, LLC (“Falcon”), in writing that Fox needed Litchain to be personal served with expedited process at the following addresses: Litchain Corp., c/o Tony Tate, 118 ½ Willis Plaza, Gaffney, South Carolina 29340. This address is Litchain’s registered agent in South Carolina, as reported on the South Carolina Secretary of State’s website.<sup>2</sup>

4. Falcon was alerted to the need for service *ahead of* Blockquarry receiving a case number and executed summonses because Blockquarry wished to avoid the Court making an *ex parte* ruling on Blockquarry’s emergency TRO and preliminary injunction motion (ECF No. 7, “Motion”).

5. On April 11, 2023—after the Clerk of Court issued a case number and summonses in the instant case—Fox emailed Falcon with instructions to serve Litchain at the company’s South Carolina registered agent’s address within 24 hours. The email attached stamped copies of the filed complaint and Motion and issued summonses.

6. On the same day, Falcon (or its vendor, collectively, “Falcon”) attempted service on Litchain at the company’s South Carolina registered agent’s address. The same day, Falcon emailed the undersigned, informing that “Litchain Corp. is not located there anymore. It is an attorney’s office.” A copy of Falcon’s affidavit of service confirming the same and indicating “non service” at this address is attached hereto as Exhibit A.

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<sup>2</sup> *See id.*

7. The undersigned replied within minutes requesting additional service of process at address: Tate, A., 2111 Stockton Drive, Stanford, Florida 32771. This address is Litchain's registered agent in Florida, as reported on the Florida's Department of State's website (as of April 11, 2023, *see infra* ¶ 17).<sup>3</sup>

8. On April 11, 2023, Fox also caused a copy of the complaint, summons, and Motion to be delivered to Litchain by certified, restricted USPS mail (return receipt requested) via the company's South Carolina registered agent's address. A true and correct copy of the certified mail receipt and return is attached hereto as Composite Exhibit B. This parcel was returned to Fox, "undeliverable as addressed." (*See* Comp. Ex. B.)

9. On April 12, 2023, Falcon attempted to personally serve Litchain at the company's Florida registered agent's address. According to the "affidavit of non-service," a resident of the address informed Falcon that "Litchain Corp, Tony Tate, and A. Tate are unknown and they do not reside [sic]." A copy of Falcon's affidavit of service indicating Litchain was "non-served" is attached hereto as Exhibit C.

10. On April 13, 2023, Fox provided Falcon with a copy of the Court's April 12, 2023 text order (ECF No. 9) and, consistent with the instructions in the text order, instructed Falcon to serve the same upon Litchain.

11. On April 14, 2023, Fox provided Falcon with a third address for Litchain: 3415 W. Lake Mary Blvd. Suite 950702, Lake Mary, Florida 32795. This address is Litchain's principal address, as reported on the Florida's Department of State's website.<sup>4</sup>

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<sup>3</sup> *See* Litchain Corp, FLORIDA DEPARTMENT OF STATE, DIVISION OF CORPORATIONS, <https://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (type 'litchain corp' in search field; then select result for Litchain).

<sup>4</sup> *See id.*

12. On April 15, 2023, Falcon attempted service on Litchain's principal place of business. According to the "affidavit of non-service," this address is a USPS office. A copy of Falcon's affidavit of service indicating Litchain was "non-served" there is attached hereto as Exhibit C.

13. On or about April 24, 2023, Falcon performed a "skip trace," which identified the following address associated with Tony Tate: 1056 Lakeside Estates Dr, Apopka, Florida 32703-6211. On April 27, 2023, Falcon confirmed it would attempt to serve process at this address.

14. On May 3, 2023, Fox provided a copy of the complaint and summons to Florida security company, Poseidon Security Group ("Poseidon"), which was unable to locate Litchain or Mr. Tate.

15. On May 8, 2023, Falcon reported by email that, "We have been unable to make contact with anyone at the residential address in Apopka, FL." According to the "affidavit of non-service" eventually produced, Falcon made three attempts to serve the Apopka, Florida address, and on the first attempt, a person in the residence stated, "they couldn't answer door right now." A copy of this affidavit of non-service is attached hereto as Exhibit D.

16. On May 8, 2023, Fox caused a copy of the complaint, summons, and Motion to be delivered to Litchain by certified, restricted USPS mail (return receipt requested) via the company's South Carolina registered agent's address (again) and via the Apopka, Florida address identified by Falcon's skip trace. Fox never received return receipt for these parcels. Despite the passage of weeks, USPS tracking shows the parcels as "in transit to next facility" (as of May 31, 2023). Proof of certified mailing is attached here to as Exhibit E.

17. It was unknown to Fox until May 29, 2023 that, according to documents filed by Litchain on April 30, 2023 with the Florida's Department of State, Litchain caused its Florida

registered agent address to be changed to address: Tate, A., 581 North Park Avenue, Suite 308, Apopka, Florida 32704.<sup>5</sup> A copy of this document is attached hereto as Exhibit F.

18. At the time of the instant filing, Blockquarry has not attempted to serve this second Apopka, Florida address, which appears to be yet another USPS office.<sup>6</sup>

19. On May 29, 2023, the undersigned requested that Poseidon email Mr. Tate (at email address litchaincorp@gmail.com) and request that Mr. Tate meet a member of Poseidon in Florida for personal service of the complaint and summons.

20. Poseidon confirmed on May 30, 2023 that it delivered the requested email to Mr. Tate and that no response to the email has been received.

Respectfully submitted,

May 31, 2023

Greenville, South Carolina

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*Attorneys for Blockquarry Corp. f/k/a ISW Holdings, Inc.*

<sup>5</sup> See *id.*

<sup>6</sup> U.S. POASTAL SERV., <https://tools.usps.com/find-location.htm?location=1353189> (last visited May 30, 2023).

## VERIFICATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my ability and knowledge.

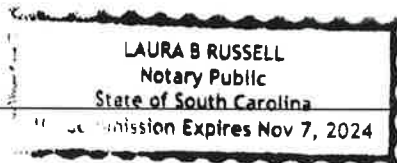
## AFFIRMATION

Sworn before me on May 31, 2023.

Laura B. Russell  
Notary Public for South Carolina

My Commission expires: 11-7-2024

[seal]



R. TAYLOR SPEER

A handwritten signature in blue ink, consisting of a stylized 'S' and 'T' intertwined.

R. Taylor Speer

FOX ROTHSCHILD LLP